

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**SANOFI-AVENTIS,
SANOFI-SYNTHELABO INC., and
BRISTOL-MYERS SQUIBB SANOFI
PHARMACEUTICALS HOLDING
PARTNERSHIP,**

Plaintiffs,

02-CV-2255 (SHS)

V.

APOTEX INC. and APOTEX CORP.,

Defendants.

ELECTRONICALLY FILED

**MOTION OF AMICUS CURIAE NATIONAL ASSOCIATION
OF CHAIN DRUG STORES FOR LEAVE TO FILE
BRIEF IN OPPOSITION TO
PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

The National Association of Chain Drug Stores (“NACDS”) hereby moves for leave to file a brief as amicus curiae in opposition to Plaintiffs’ motion for a preliminary injunction to halt the sale of an FDA-approved generic version of Plavix. A copy of the proposed brief is attached.

NACDS represents the nation's leading retail chain pharmacies and suppliers, helping them better meet the changing needs of their patients and customers. NACDS members operate more than 32,000 pharmacies, employ 112,000 pharmacists, fill more than 2.1 billion prescriptions yearly, and have annual sales of over \$500 billion. Other members include more than 1000 suppliers of products and services to the chain drug industry. Accordingly, NACDS is uniquely positioned to address the effect granting the requested preliminary injunction would have on retail pharmacies and consumers.

NACDS respectfully requests that the Court grant leave to file the attached amicus curiae brief in opposition to Plaintiffs' motion for a preliminary injunction.

Respectfully submitted,

s/ Zachary R. Davis

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Dated: August 17, 2006

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served upon the following counsel this
17th day of August, 2006, via ECF Filing and U.S. Mail:

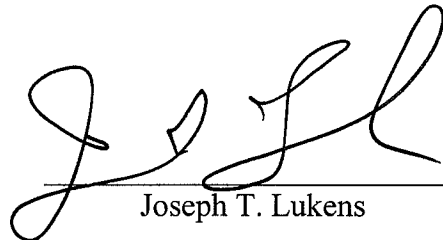
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